



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NORTHEAST REGIONAL OFFICE

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MAR 29 2007

**ROCKPORT
BOARD OF HEALTH**

March 28, 2007

John M. Tomasz
Rockport Water Department
Town Office Building
Rockport, Massachusetts 01969

RE: City/Town: Rockport
PWS Name: Rockport Water Department
PWS ID#: 3252000
Program: Source Protection
Action: Wellhead Protection Requirements
Cape Pond Bedrock Wells

Dear Mr. Tomasz:

Please find attached the following information:

Wellhead Protection Requirements 310 CMR 22.21(2) for two proposed bedrock wells.

Please note that the signature on this cover letter indicates formal issuance of the attached document.
If you have any questions regarding this letter, please contact Anita Wolovick at (978) 694-3228.

Sincerely,

Anita Wolovick
Environmental Analyst
Drinking Water Program

Sincerely,

James H. Persky
Acting Section Chief
Drinking Water Program

JP/aw

cc: DEP Boston- ATTN Catherine Sarafinas
Rockport Board of Health
Rockport Board of Selectmen
Dewberry

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The Department of Environmental Protection (MassDEP) is in receipt of the Town of Rockport's (Rockport) existing Watershed Protection Overlay District Bylaw (Bylaw) as required by Massachusetts Drinking Water Regulations 310 CMR 22.21(2).

This letter is to provide you with the information you need to satisfy the wellhead protection requirements for the proposed bedrock wells currently under development. The new source approval permit for these wells requires Rockport to adopt wellhead protection controls for the Zone II recharge area of the proposed wells. Local controls must meet the requirements cited in *Massachusetts Wellhead Protection Regulations*, 310 CMR 22.21(2)(a)(1) through 22.21(2)(b)(7).

MassDEP has reviewed the Town's Watershed Protection Overlay District Bylaw, and has found it to be lacking in many of the land use controls required to meet *Massachusetts Wellhead Protection Regulations*, 310 CMR 22.21(2)(a)(1) through 22.21(2)(b)(7).

To assist you in meeting these requirements, I have enclosed a copy of the *Massachusetts Wellhead Protection Regulations* and DEP's Model Groundwater Protection Bylaw and Floordrain Health Regulation. Please refer to this information when reviewing local controls and drafting language amendments. It is important to note that the floor drain prohibition, 310 CMR 22.21(2)(a)(8), must address future and existing uses, therefore a zoning bylaw cannot be used to meet compliance. A Board of Health Regulation is recommended, however a general bylaw will also meet compliance.

In addition to local regulatory amendments, you will need to review the Town's protection district map to ensure that the district boundaries cover the Zone II of the proposed wells. If the boundaries do not cover the Zone II, the district map must be amended. Some communities choose to adopt the DEP approved Zone II maps as their town's protection district; if Rockport chooses this protection approach, the Zone II should be defined and referenced in the bylaw.

The draft Zone II delineation for the wells does not extend into the City of Gloucester. If the final delineation of the Zone II extends into Gloucester, the Town will also have to satisfy the Best Effort Requirement 310 CMR 22.21(1)(d). Rockport will have to provide the City of Gloucester with a copy of the Zone II map and MA Wellhead Protection Regulations, and, request local officials to adopt controls to protect that portion of the Zone II that is within Gloucester.

The Town of Rockport will meet MA Wellhead Protection Regulations 310 CMR 22.21(2) when the following documents are submitted to DEP:

1. A copy of the adopted local protection controls that meet 310 CMR 22.21(2);
2. A copy of the Town's protection district map which encompasses the Zone II; or language in the bylaw that clearly identifies the DEP approved Zone II as the protection district; and
3. A copy of the letter to the City of Gloucester (if required) requesting protection for that portion of the Zone II located in their community.

Draft wellhead protection documentation (bylaws, health regulations, map) should be submitted with the pumping test final report to determine if these documents satisfy the wellhead protection requirements. If you have any questions regarding this letter, please feel free to contact Anita Wolovick at 978-694-3228.